

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/LECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		Key Docket No. 7-1324 U.S. Application No. 10/569,554
INTERNATIONAL APPLN. NO. PCT/FR2004/002163	INTERNATIONAL FILING DATE August 19, 2004	PRIORITY DATE CLAIMED August 28, 2003
TITLE OF INVENTION: OXYGEN CONDUCTING MEMBRANES, PREPARATION METHOD THEREOF, AND REACTOR AND METHOD USING SAME		
APPLICANT(S) FOR DO/EO/US: David FARRUSSENG, Claude MIRODATOS, Michael REBEILLEAU, André VAN VEEN, Simon RUSHWORTH and Jean-Luc ROUSSET		
Applicant herewith submits to the United States Designated Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau. See attached PCT/IB/308.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made, however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input checked="" type="checkbox"/> 2 Oaths or declarations of the inventor(s) (35 U.S.C. 371(c)(4))</li> <li>10. <input type="checkbox"/> A Declaration of Inventorship for purposes of U.S.A. designation pursuant to rule 4.17(iv). ))</li> <li>11. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 12 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>12. <input type="checkbox"/> Information Disclosure Statement (IDS) w/PTO-1449 - <input type="checkbox"/> Copy of IDS citations. - <input type="checkbox"/> PCT/ISA/210 International Search Report included</li> <li>13. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s)).</li> <li>14. <input type="checkbox"/> A preliminary amendment.</li> <li>15. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76.</li> <li>16. <input checked="" type="checkbox"/> Itemized Return Receipt Postcard</li> <li>17. <input type="checkbox"/> Abstract</li> <li>18. <input type="checkbox"/> A substitute specification.</li> <li>19. <input type="checkbox"/> Power of Attorney and Statement under 37 CFR §3.73(b) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed Power of Attorney</li> <li>b. <input type="checkbox"/> A change of Power of Attorney and/or change of address letter.</li> </ol> </li> <li>20. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>21. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> A second copy of the English language translation of the international application (35 U.S.C. 154(d)(4)).</li> <li>23. <input type="checkbox"/> Other items or information: _____</li> </ol>		

U.S. APPLICATION NO. 10/569,554		INTERNATIONAL APPLN. NO. PCT/FR2004/002163		ATTORNEY DOCKET NO. 0512-1324	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS</b> PTO USE ONLY	
<b>PCT FEES - NATIONAL STAGE</b>					
<b><u>Fee Description</u></b>					
Basic National Stage Fee					
Non ISA/US Search Provided		National Stage Search Fee			
<input type="checkbox"/> US was the IPEA And all claims satisfied the provisions of PCT Article 33 (1)-(4)		National Stage Examination Fee			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20- <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (Fee Code 1617/2617)				<b>Already Paid</b>	
National Stage Application size fee each additional 50 sheets in excess of 100  Fee Code 1681/2681	Additional Sheets 54 - 100 =      0      =      0 X <div style="border-top: 1px solid black; width: 100px; margin: 0 auto;"></div> 50		Fee From Below <b>\$250.00</b>		
<b>CLAIMS</b>		NUMBER FILED	NUMBER EXTRA	RATE	
Independent Claims Fee Codes 1614 / 2614		2 - 3 =	0	x \$200.00	
Total Claims Fee Codes 1615 / 2615		22 - 20 =	2	x \$50.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) Fee Code 1616 / 2616				+ \$360.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). Fee Code 1618					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). (Fee code 8021) <div style="text-align: right;">\$40.00 per property      +</div>					
TOTAL FEES ENCLOSED =				<b>Already Paid</b>	
				Amount to be refunded:	\$
				Charged:	\$
<input type="checkbox"/> The Director is hereby authorized to charge indicated fees and credit any overpayment to Deposit Account No. 25-0120 in the name of Young & Thompson. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17.					
SEND ALL CORRESPONDENCE TO: YOUNG & THOMPSON 745 South 23 <sup>rd</sup> Street Arlington, VA 22202 Telephone: (703) 521-2297 Facsimile: (703) 685-0573			<div style="font-family: cursive; font-size: 1.2em; margin-bottom: 5px;">Benoit Castel</div> SIGNATURE		
Y&T Customer No. <b>00466</b>  BC/tmp			Benoit Castel, Reg. No. 35,041 NAME, REGISTRATION NUMBER		
			October 27, 2006 DATE		

MAIL STOP PCT

PATENT  
0512-1324

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: FARRUSSENG et al. Confirmation No. 7749  
Serial No.: 10/569,554 Art Unit: 1754  
Filed: February 27, 2006  
For: OXYGEN CONDUCTING MEMBRANES, PREPARATION METHOD  
THEREOF, AND REACTOR AND METHOD USING SAME

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 2, 2006

Sir:

In response to the accompanying Notification of Missing Requirements mailed October 25, 2006, attached are copies of a Transmittal Letter and executed Declaration filed in the U.S. Patent and Trademark Office (USPTO) on October 27, 2006, in the above-identified application, together with a copy of the USPTO date-stamped postcard which shows that the foregoing documents were filed in the USPTO mailroom on October 27, 2006. Accordingly, Applicants are entitled to a filing date of October 27, 2006, and Applicants courteously request issuance of an Official Filing Receipt and Notice of Acceptance confirming the filing date of October 27, 2006.

To the extent necessary during prosecution, Applicants hereby request any required extension of the time not otherwise requested and hereby authorize the Commissioner to charge any prescribed fee not otherwise paid, including application processing, extension, and extra claims fees, to Deposit Account No. 25-0120.

Respectfully submitted,  
YOUNG & THOMPSON

BY:



Robert J. Patch, #17,355

745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
703-521-2297 (telephone)  
703-685-0573 (telecopier I)  
703-979-4709 (telecopier II)

RJP:rk

Docket No. 0512-1324  
MAIL STOP PCT

THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE HEREON ACKNOWLEDGES THE  
RECEIPT OF THE BELOW IDENTIFIED DOCUMENT ON THE DATE INDICATED BY SUCH STAMP

In re application of David FARRUSSENG et al.

Application No. 10/569,554

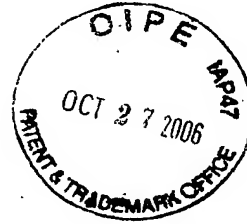
Filed February 27, 2006

Group Art Unit 1754

Conf. # 7749

- ☒ 2<sup>nd</sup> Submission transmittal letter
- ☒ 2 executed declarations
- ☐
- ☐
- ☐

BC/tmp





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

*Farrusseng*  
*0512-1324*

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/569,554	David Farrusseng	05121324

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/FR04/02163

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

08/19/2004

08/28/2003

00466  
YOUNG & THOMPSON  
745 SOUTH 23RD STREET  
2ND FLOOR  
ARLINGTON, VA 22202

CONFIRMATION NO. 7749

371 FORMALITIES LETTER



\*OC000000020963102\*

Date Mailed: 10/25/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/27/2006
- Copy of the International Search Report filed on 02/27/2006
- Preliminary Amendments filed on 02/27/2006
- Information Disclosure Statements filed on 02/27/2006
- Request for Immediate Examination filed on 02/27/2006
- U.S. Basic National Fees filed on 02/27/2006
- Priority Documents filed on 02/27/2006
- Specification filed on 02/27/2006
- Claims filed on 02/27/2006
- Abstracts filed on 02/27/2006
- Drawings filed on 02/27/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/569,554	PCT/FR04/02163	05121324

FORM PCT/DO/EO/905 (371 Formalities Notice)